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DEPARTMENT OF STATE

THE LEGAL ADVISER

July 12, 1957

SECRET

MEMORANDUM

To: SCA - Mr. Roderic L. O'Connor

From: L - John M. Raymond

Subject: Passport Case of Anna Louise Strong

At Mr. Becker's request, the Strong case has been discussed with lawyers in the Internal Security Division of the Department of Justice which has recently been charged with the responsibility of defending these cases in court. Mr. Devine, chief of the section handling these cases, was of the view that substantively this case was probably as good as any to litigate, since there was at least some evidence of pro-Communist activity of fairly recent date. He was of the opinion that the proposed letter to Miss Strong would be better if it were couched in the form of findings related to specific subsections of the Regulations and that these findings should be made in language of greater specificity than that contained in the letter. For example, he believed that the present status of the organizations mentioned in the draft letter should be set forth in greater detail, as should also the alleged relationship of Miss Strong to the organizations in question, e.g., dates of alleged attendance at meetings, financial contributions, etc. While he saw no objection to the utilization of material from Miss Strong's writings as evidence of a pattern of pro-Communist activities over a long period of time, he thought that the excerpts should be carefully chosen so as not to include material which would be merely critical of American foreign policy or American officials, without it being in any way inflammatory or inciting to violence.

Mr. Devine's office is furnishing us within a few days an up-to-date statement of the status of the organizations mentioned in the draft letter in relation to the United States Government. *

We have also examined Mr. Sipes' comments on our memorandum of May 15, 1957, and concur in his recommendation that before final refusal, the case should be reviewed by the Assistant Secretary for European Affairs and Far Eastern Affairs.

L:L/EUR:JKeegan:jcm

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* Attached

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY T. Brown DATE 2/7/85
RDS ☐ or XDS ☐ EXT. DATE
TS AUTH. REASON(S)
ENDORSE EXISTING MARKINGS ☑
DECLASSIFIED ☑ RELEASABLE ☑
RELEASE DENIED ☐
FOIA or FOI EXEMPTIONS
1005

1. The American Russian Institute, N.Y. (also known as The American Russian Institute for Cultural Relations with the Soviet Union) and The American Russian Institute of San Francisco, California, were designated on May 27, 1948 under provision of Executive Order No. 9835 (13 F.R. 3067-68); The American Russian Institute of Philadelphia, Pa., and The American Russian Institute of Southern California, Los Angeles, California were designa on April 21, 1949 under provisions of Executive Order No. 9835. (14 F.R. 2371), and all four were redesignated on April 27, 1953 under provision of Executive Order No. 10450 (18 F.R. 2741-2742).

2. Civil Rights Congress and its affiliate organizations including Civil Rights Congress for Texas, Veterans Against Discrimination of Civil Rights Congress of New York, were first designated under Executive Order No. 9835 on November 24, 1947, (13 F.R. 1471) and redesignated under provision of Executive Order No. 10450 on April 27, 1953.

The Attorney General filed a petition before the Subversive Activities Control Board for an order to require Respondent to register as a Communist-front organization on April 22, 1953. The presentation of evidence in this case began on November 29, 1954. On June 2, 1955, the presentation of evidence in this case was concluded. On November 30, 1955, the hearing officer, Board Member David J. Coddaire, filed his Recommended Decision that Respondent was in fact a Communist-front organization and should be ordered to register as such with the Attorney General. This case is presently awaiting a final order of the full Board.

3. California Emergency Defense Committee was proposed for designation on April 30, 1953 under provisions of Executive Order No. 10450. CEDC failed to file proper notice of contest and was therefore designated on July 15, 1953 (18 F.R. 4240).

On October 1, 1956, the Subversive Activities Control Board was petitioned by the Attorney General for an order to require the California Emergency Defense Committee to register as a Communist-front organization. The presentation of evidence in this case began on April 24, 1957 and concluded May 6, 1957. Respondent offered no defense. This case is presently awaiting a Recommended Decision.

4. Everybody's Committee to Outlaw War was proposed for designation under provisions of Executive Order No. 10450 on December 29, 1954. Notice of contest was filed on January 13, 1955. Statement of Grounds and Interrogatories filed on March 14, 1954. By letter dated May 21, 1955 ECOW refused to answer Government's interrogatories on the grounds that they were violative of the First, Fifth, Ninth and Tenth Amendments, denial of due process, etc. On October 20, 1955, the ECOW was designated for failure to comply with the rules promulgated pursuant to Executive Order No. 10450. (20 F.R. 8163)

Note that with respect to all four organizations that they were afforded the opportunity to contest their designation and failed to exhaust their administrative remedy. The Civil Rights Congress and American Russian Institute were afforded such opportunity when redesignated; The California Emergency Defense Committee and Everybody's Committee to Outlaw War at the time of proposed designation. (See copy of Rules attached)